

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

WILLIAM LEE KIRBY, #182340,)
Petitioner,)
v.) CASE NO. 3:06-CV-456-WKW
LEON FORNISS, et al.,)
Respondents.)

ORDER

Upon review of the answer filed by the respondents on July 5, 2006, and for good cause, it is

ORDERED that on or before July 17, 2006 the respondents shall file a supplemental answer which addresses the petitioner's assertion that he is entitled to equitable tolling of the limitation period until filling this petition as appellate counsel failed to advise petitioner "that he had not filed for certiorari" or that his convictions had become final on direct appeal. *Petition for Writ of Habeas Corpus* at 13.

Done this 7th day of July, 2006.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE